

PTO/PAT Rec'd

2001

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PTO/SB/64/PCT (10-00)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)	Docket Number (Optional) UCAL-256/01US
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First named inventor: **SHIAU, Andrew, et al.**

International (PCT) Application No.: **PCT/US99/06937** U.S. Application No.:
(if known)

Filed: **March 30, 1999**

Title: **METHODS AND COMPOUNDS FOR MODULATING NUCLEAR RECEPTOR ACTIVITY**

Attention: PCT Legal Staff
Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED

30 MAY 2001

**Legal Staff
International Division**

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.494(b) or (c) or 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.494(g) or 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee--required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity - fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,240 (37 CFR 1.17(m))

2. Proper reply

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s) in the form of national fee, international application, and (identify type of reply):
declaration

- ☐ has been filed previously on _____
- ☒ is enclosed herewith.

05/02/2001 UEDUVIJE 00000157 09830693

04 FC:142

1240.00 DP

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

4/26/01

Date

Telephone
Number: (650) 843-5000

Madison C. Jellins

Signature

Madison C. Jellins

Typed or printed name

Cooley Godward LLP

Attn: Patent Dept.

3000 El Camino Real

Five Palo Alto Square

Palo Alto, CA 94306

- Enclosures: ☒ Response
- ☒ Fee Payment
- ☐ Terminal Disclaimer Form
- ☐ _____

09/830693

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/694,055	09/29/2000	Andrew Shiau	UCAL-256/01US

CONFIRMATION NO. 9201

FORMALITIES LETTER



OC000000005994559

Cooley Godward LLP
Attn Patent Group
Five Palo Alto Square
3000 El Camino Real
Palo Alto, CA 94306-2155

Date Mailed: 04/23/2001

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The specification is missing.
- The specification does not include at least one claim.
A complete specification as prescribed by 35 U.S.C. 112 is required.

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The oath or declaration is unsigned.

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

09/830693

Attorney Docket No: UCAL-256/01US

PATENT

Express Mail Label Number: EL514039504US

Date of Deposit: April 27, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

Date: 27 April 2001By: Vladimir Skliba
Vladimir Skliba

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED (or ELECTED) OFFICE**

Applicant: Andrew Shiau, et al.

International Application No. PCT/US99/06937

Filing Date: March 30, 1999

Title of Invention: METHODS AND COMPOUNDS FOR
MODULATING NUCLEAR RECEPTOR
ACTIVITY

Priority Claimed U.S. Provisional Application No. 60/079,956 filed March 30, 1998
U.S. Provisional Application No. 60/113,146 filed December 16, 1998
U.S. Provisional Application No. 60/113,014 filed December 16, 1998

1. Applicant herewith submits the following items under 35 USC 371 an express request to immediately begin national examination procedures (35 USC 371(f)).
2. Copy of the International application (35 USC 371(c)(2)):
[X] is transmitted herewith.
3. Translation of the international application into the English language (35 USC 371(c)(2)):
[X] is not required as the application was filed in English.

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8. [X] Payment of Fees

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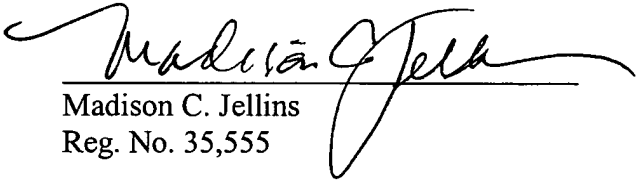
[X] A check in the amount of \$3,718.00 to cover the above fees is enclosed.

[X] The Commissioner is hereby authorized to charge underpayment of required fees under 37 CFR 1.16 or 37 CFR 1.17 associated with this communication or to credit any overpayment to Deposit Account No. 03-3117.

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Respectfully submitted,
COOLEY GODWARD LLP

By:



Madison C. Jellins
Reg. No. 35,555